

Barnes, Iaccarino, Virginia, Ambinder & Shepherd, PLLC

ATTORNEYS AT LAW

ROY BARNES
RICCARDO IACCARINO
CHARLES R. VIRGINIA**
LLOYD R. AMBINDER**
WENDELL V. SHEPHERD

TRINITY CENTRE
111 BROADWAY
SUITE 1403
NEW YORK, NEW YORK 10006
TEL (212) 943-9080
FAX (212) 943-9082

258 Saw Mill River Road
Elmsford, New York 10523
Tel (914) 592-5740
Fax (914) 592-3213

3 Surrey Lane
Hempstead, N.Y. 11550
Tel (516) 483-2990
Fax (516) 483-0566

65 Route 34, Suite 204A
Colts Neck, New Jersey 07722
(732) 837-2797
Fax (732) 431-4167

OF COUNSEL:

(Please refer all correspondence to the New York address)

MARC A. TENENBAUM***
ALBERT RODRIGUES
GIACCHINO RUSSO

August 28, 2008

KARIN ARROSPIDE
DANIELLE M. CARNEY
MICHAEL J. DESANTIS*
DANA HENKE^
DEVIN KARAS**
STEVEN KERN^^
SAMER E. KHALAF***
LADONNA M. LUSHER
HEIDI MAHER
GILLIAN MCGOEY^^
JAMES E. MURPHY
EMILY ROSCIA
JUDY S. WONG

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8-29-08

* Only Admitted in NJ
** Also Admitted in NJ
*** Also Admitted in OH
^ Also Admitted in DC
^^ Also Admitted in CT
+ Also Admitted in MD

VIA ECF & U.S. MAIL

Honorable Victor Marrero
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: Nephty Cruz et al. v. C.S. Brown, Inc., 07 Civ. 9560

Dear Judge Marrero:

This firm represents the plaintiff trustees in the above-referenced matter. Your Honor directed plaintiffs to file a stipulation of dismissal or reopen the case by August 28, 2008.

I write to advise that Defendant's counsel returned signed settlement documents to this office. We have forwarded those documents to our clients for execution. Therefore, plaintiffs respectfully request that the Court provide an additional period of two weeks for plaintiffs to file fully executed settlement documents and a stipulation of dismissal with the Court.

Thank you for your attention.

Respectfully submitted,

/s/

Charles R. Virginia

CRV:jw
cc: Paul H. Galligan, Esq.

Request GRANTED. The Conditional Order of Discontinuance herein is amended to extend until 9-15-08 the date by which plaintiff may restore the action to the Court's active calendar. The clerk of Court is directed to withdraw the SO ORDERED. pending motion (Docket No. 13) from the list of open motions.
8-28-08
DATE
VICTOR MARRERO, U.S.D.J.